

AGENDA
North Miami City Council
776 N.E. 125th Street, 2nd Floor, Council Chambers
North Miami, FL 33161

REGULAR MEETING

TUESDAY, JULY 8, 2014
7:00 P.M.

1. PLEDGE OF ALLEGIANCE

(2014 Summer YOB interns)

2. INVOCATION

(Pastor Christopher Cassagnol, Tabernacle of Glory)

3. CALL TO ORDER / ROLL CALL OF MEMBERS

4. ORDER OF BUSINESS (Additions/Deletions/Amendments/Deferrals)

5. SPECIAL PRESENTATION(s)

- ◆ Recognition to *Charles L. Cyrille, Bureau Manager, Office of Emergency Management, Miami-Dade Fire Rescue Department*
- ◆ Recognition to *Camilo Lopez, student*, winner of the “Call for Ideas:” North Miami’s Student Architectural Design competition
- ◆ Annual Audit Report & Comprehensive Annual Financial Report (CAFR) by *Harvey, Covington & Thomas, LLC, Independent Certified Public Accountants Firm*
- ◆ Award Recognitions to *North Miami Police Motor Unit Officers*
- ◆ Certificate of Recognition in honor of *National Parks & Recreation Month*
- ◆ Certificate of Recognition in honor of *National Culinary Arts Month*

6. CITY EVENTS – ANNOUNCEMENT

7. CITY PROJECTS UPDATE

8. HURRICANE PREPAREDNESS

9. CONSENT AGENDA

UNLESS A MEMBER OF THE CITY COUNCIL WISHES TO REMOVE A SPECIFIC ITEM FROM THIS PORTION OF THE AGENDA, TABS A THROUGH E CONSTITUTE THE CONSENT AGENDA. THESE RESOLUTIONS AND ITEMS ARE SELF-EXPLANATORY AND ARE NOT EXPECTED TO REQUIRE ADDITIONAL REVIEW OR DISCUSSION. EACH ITEM WILL BE RECORDED AS INDIVIDUALLY NUMBERED RESOLUTIONS, ADOPTED UNANIMOUSLY BY THE FOLLOWING MOTION:

“...THAT THE CONSENT AGENDA COMPRISED OF TABS A THROUGH E BE ADOPTED...”

[TAB A]

APPROVAL OF MINUTES – Regular Council Meeting – June 24, 2014

Sponsored by: Michael A. Etienne, City Clerk

[TAB B]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER, CITY ATTORNEY AND CITY CLERK TO TAKE ALL NECESSARY ACTION AND TO EXECUTE ALL DOCUMENTS AFFECTING THE HEALTH, SAFETY AND WELFARE OF THE CITY DURING THE CITY COUNCIL’S RECESS FROM JULY 9, 2014 THROUGH SEPTEMBER 8, 2014; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: Aleem A. Ghany, City Manager

[TAB C]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE SUBMISSION OF A GRANT APPLICATION AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE NATIONAL RECREATION AND PARKS ASSOCIATION (NRPA) FOR A GRANT FROM GROW YOUR PARK PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Natasha Colebrook-Williams, Chief of Staff

[TAB D]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE SUBMISSION OF A GRANT APPLICATION AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY’S BUREAU OF COMMUNITY PLANNING FOR A COMMUNITY PLANNING TECHNICAL ASSISTANCE GRANT FOR THE NW 7TH AVENUE GREEN ENTERPRISE INITIATIVE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Natasha Colebrook-Williams, Chief of Staff

[TAB E]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA; APPROVING FISCAL YEAR 2014-2015 ACTION PLAN UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP GRANT (HOME) PROGRAMS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Tanya Wilson-Sejour, CP&D / Zoning Manager

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10. PUBLIC HEARINGS – RESOLUTIONS, ORDINANCES, ZONING, LAND USE ITEMS, ETC.

10.A. RESOLUTIONS

[TAB F]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE CITY ADMINISTRATION'S RANKING AND SELECTION OF ROADWAY CONSTRUCTION, LLC, AS THE LOWEST RESPONSIVE-RESPONSIBLE CONTRACTOR TO FURNISH ALL MATERIALS, EQUIPMENT, FACILITIES, TOOLS, SUPPLIES, SUPERVISION AND SERVICES REQUIRED FOR THE ENGINEERING, CONSTRUCTION, INSTALLATION, IMPROVEMENT, COMMISSION, STARTUP AND TESTING OF A FORCE MAIN, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE INVITATION FOR BID NO. 37-13-14 NORTHEAST (NE) 131ST STREET - FORCE MAIN IMPROVEMENT PROJECT; AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT TO COMPLETE THE PROJECT, AT A COST NOT TO EXCEED SIX HUNDRED THIRTY-NINE THOUSAND FIVE HUNDRED FORTY-FIVE DOLLARS AND SEVENTY-EIGHT CENTS (\$639,545.78); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: MarcAnthony Tulloch, Purchasing Manager

[TAB G]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE CITY ADMINISTRATION'S RANKING AND SELECTION OF JONES BENITEZ CORPORATION, AS THE LOWEST RESPONSIVE-RESPONSIBLE CONTRACTOR TO FURNISH ALL LABOR, MATERIALS, EQUIPMENT, FACILITIES, TOOLS, SUPPLIES, MAINTENANCE OF TRAFFIC, ROOT PRUNING, SPRINKLER AND DRIVEWAY REPAIRS, RESTORATION OF ABUTTING AREAS, AND OTHER RELATED SERVICES REQUIRED FOR SIDEWALK REPLACEMENT AND INSTALLATION AT SPECIFIED LOCATIONS, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE INVITATION FOR BID NO. 43-13-14 SIDEWALK REPLACEMENT & NEW INSTALLATION PROJECT – DISTRICT 3; AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT TO COMPLETE THE PROJECT, AT A COST NOT TO EXCEED ONE HUNDRED EIGHTY-ONE THOUSAND FIVE HUNDRED SEVEN DOLLARS (\$181,507.00); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: MarcAnthony Tulloch, Purchasing Manager

[TAB H]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE CITY ADMINISTRATION'S RANKING AND SELECTION OF SA CONSULTANTS, LLC, AS THE LOWEST RESPONSIVE-RESPONSIBLE CONTRACTOR TO PROVIDE ALL MATERIALS, LABOR, EQUIPMENT, TOOLS, SUPERVISION, AND RELATED SERVICES NECESSARY FOR THE INTERIOR RENOVATION AND REMODELING OF THE CITY OF NORTH MIAMI PUBLIC LIBRARY, IN ACCORDANCE WITH THE TERMS, CONDITIONS, AND SPECIFICATIONS CONTAINED IN THE INVITATION FOR BID NO. 36-13-14 RENOVATION AND REMODELING OF CITY PUBLIC LIBRARY PROJECT; AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT TO COMPLETE THE RENOVATION PROJECT, AT A COST NOT TO EXCEED SEVEN HUNDRED THIRTY THOUSAND DOLLARS (\$730,000.00); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Lucia Gonzalez, Library Director

[TAB I]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING AND ADOPTING THE ATTACHED POLICY FOR PERMITTING COMMERCIAL USE OF DEDICATED CITY PARKLANDS AND FACILITIES FOR PERSONAL TRAINING AND OTHER OUTDOOR PRIVATE PROFESSIONAL SERVICES, TO BE IMPLEMENTED AND ENFORCED BY THE PARKS AND RECREATION DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Derrick Corker, Parks & Recreation Manager

[TAB J]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, REGARDING THE REMOVAL OF APPROXIMATELY 194,000 CUBIC YARDS OF FILL MATERIAL CONTAINING CONCENTRATIONS OF ALUMINUM ABOVE TARGET CLEAN UP LEVELS OBTAINED FROM THE "BRICKELL CITY CENTRE," CURRENTLY STOCKPILED ON THE PREMISES COMMONLY REFERRED TO AS THE BISCAYNE LANDING SITE AS WELL AS AUTHORIZING THE CITY MANAGER TO BEGIN THE APPRAISAL PROCESS AND NEGOTIATE A FORMAL AGREEMENT FOR THE SALE TO OLETA PARTNERS, INC., ("OLETA"), OF APPROXIMATELY FIFTY (50) ACRES OF PROPERTY KNOWN AS "THE RESIDENTIAL PARCEL", SUBSTANTIALLY IN ACCORDANCE WITH OLETA'S EXCLUSIVE PURCHASE OPTION RIGHTS UNDER THE BISCAYNE LANDING LEASE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES

Sponsored by: City Administration

10.B. LEGISLATIVE MATTERS – [NONE]

10.B.1. ORDINANCES – SECOND READING AND PUBLIC HEARING

[TAB K]

PROPOSED ORDINANCE (*SECOND READING*) OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 12 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “NUISANCES” TO ENHANCE CURRENT PROVISIONS FOR THE ABATEMENT OF PUBLIC NUISANCES; INSERTING ARTICLE III, ENTITLED “ABANDONED REAL PROPERTY REGISTRATION” FROM CHAPTER 5; CREATING ARTICLE IX, ENTITLED “SQUATTERS” BY DECLARING SQUATTING AS A PUBLIC NUISANCE WITHIN THE CITY OF NORTH MIAMI AND ESTABLISHING REMEDIES FOR ADDRESSING SQUATTERS; AND FURTHER PROVIDING FOR THE RELOCATION OF ARTICLE V ENTITLED “BURGLAR ALARMS” TO CHAPTER 13 OF THE CODE OF ORDINANCES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Sponsored by: Councilwoman Carol Keys, Esq.

[TAB L]

PROPOSED ORDINANCE (*SECOND READING*) OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 15 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “PENSIONS AND RETIREMENT”, UNDER ARTICLE III ENTITLED “CLAIR T. SINGERMEN EMPLOYEES RETIREMENT SYSTEM; ORD. NO. 691”, SPECIFICALLY AT DIVISION 4, SECTION 15-80 ENTITLED “ELIGIBILITY GENERALLY”, TO ALLOW THE CITY MANAGER TO JOIN (OR TO REMAIN IN) THE CLAIR T. SINGERMEN EMPLOYEES RETIREMENT SYSTEM, AT THE OPTION OF THE CITY MANAGER; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.

Sponsored by: City Administration

10.B.2. ORDINANCES – FIRST READING -- [NONE]

10.C. QUASI-JUDICIAL ITEM(s) – [NONE]

11. REQUESTS – PETITIONS – COMMUNICATIONS

[TAB M]

ESTABLISH PROPOSED BUDGET HEARING DATES OF WEDNESDAY, SEPTEMBER 10, 2014, AND MONDAY, SEPTEMBER 22, 2014, AND TENTATIVE MILLAGE RATE FOR FY2014-2015

Sponsored by: City Administration

Responsible Staff Person: Arthur Sorey, III, Budget Manager

[TAB N]

UPDATE REGARDING A FORENSIC FINANCIAL AUDIT FOR THE ENTIRE CITY, INCLUDING ALL DEPARTMENTS

Sponsored by: Councilwoman Carol Keys, Esq.

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12. CITIZENS' FORUM

13. COUNCIL REPORTS

Vice Mayor as Acting Mayor Philippe Bien-Aime
Councilwoman Carol Keys, Esq.
Councilman Scott Galvin
Councilwoman Marie Erlande Steril

14. CITY CLERK'S REPORT

15. CITY ATTORNEY'S REPORT

16. CITY MANAGER'S REPORT

17. ADJOURNMENT

- THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE CITY CLERK, (305) 893-6511, Ext. 12142.
- IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL N FOUR DAYS PRIOR TO SUCH PROCEEDING. HEARING IMPAIRED MAY CONTACT THE TDD LINE AT (305) 893-7936. ANY DECISION MADE BY THE CITY OF NORTH MIAMI CITY COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.
- AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE CITY CLERK, CITY OF NORTH MIAMI, 776 N.E. 125TH STREET, NORTH MIAMI, FL 33161. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE CITY CLERK AT (305) 893-6511.
- IN ACCORDANCE WITH CODE SECTIONS 2-291 AND 2-305, ANY LOBBYISTS MUST REGISTER WITH THE CITY CLERK'S OFFICE BEFORE ADDRESSING THE COUNCIL ON ANY OF THE ABOVE ITEMS.
- TWO OR MORE MEMBERS OF THE CITY COUNCIL AND OTHER CITY BOARDS MAY BE IN ATTENDANCE AT THIS MEETING.
- THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY A TELEPHONE CONFERENCE CALL. THE LOCATION, 776 N.E. 125TH STREET, NORTH MIAMI, FL 33161-0850, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT.

ALCOHOLIC BEVERAGE SYMBOLS

- 1-COP Beer only, Consumption on Premises
- 2-COP Beer and Wine, Consumption on Premises
- 4-COP Beer, Wine and Alcohol, Consumption on Premises
- 1-APS Beer, Package Sales Only
- 2-APS Beer and Wine, Package Sales Only
- 3-APS Beer, Wine and Alcohol, Package Sales Only

ZONING SYMBOLS

- R-1 Residential Estate District
- R-2 Single-Family District
- R-4 Multi-Family District
- R-5 Multi-Family District
- R-6 Multi-Family District
- RO Residential Office District

ZONING SYMBOLS (continue)

- C-1 Commercial District
- C-3 Commercial District
- C-2BE Commercial District
- C-2BW Commercial District
- M-1 Industrial District
- PU Public Use District
- PD Planned Development District
- AOD Arts, Culture and Design Overlay District
- NRO Neighborhood Redevelopment District